

## **REMARKS**

Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

### **I. Status of the Claims**

Claim 3 is amended, no new matter is added.

Claims 1-12 are pending.

### **II. Claim Objections**

Claim 3 is objected to because of improper punctuation. In accordance with the Examiner's suggestion, Applicants have amended claim 3 to remove the period. Applicants respectfully request withdrawal of the objection.

Applicants thank the Examiner for entering the previous amendment with improper status identifiers; the status identifiers for all claims have been checked for this amendment.

### **III. Acknowledgment of Allowable Subject Matter**

Applicants thank the Examiner for identifying that claims 8-10 would be allowable if not depending from a rejected base claim (claim 1). Applicants submit herewith a Terminal Disclaimer to overcome the rejection of claim 1. Accordingly, the objection to claims 8-10 is rendered moot, and Applicants respectfully request withdrawal of the objection.

#### **IV. Terminal Disclaimer**

Claims 1-6, 11 and 12 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4, 6, and 10-14 of copending Application No. 11/377,474. Although the conflicting claims are not identical, they are not patentably distinct from each other because while the claims are not identical there is substantial overlap between the present claims and the copending application.

Further, claim 7 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 11/377,474. Although the conflicting claims are not identical, they are not patentably distinct from each other because while the claims are not identical there is substantial overlap between the present claims and the copending application.

Applicants submit herewith a corrected Terminal Disclaimer over copending Application No. 11/377,474. The Terminal Disclaimer now accurately reflects the assignee, assignee's interest, and the disclaimed copending application, thus rendering moot the aforesaid provisional rejections on the ground of nonstatutory obviousness-type double patenting. Accordingly, Applicants respectfully request withdrawal of these rejections.

**CONCLUSION**

In view of the above amendments and remarks, Applicants believe the pending application and all pending claims are in condition for allowance, and earnestly solicit same.

If the Examiner feels that any remaining issues can be resolved by a Supplemental or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted

By 

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Attachment: Terminal Disclaimer